

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA**

UNITED STATES OF AMERICA )  
v. ) CASE NO: 2:05-cr-00290-WKM-VPM  
EDDIE ANDREW GORDON )  
Defendant )

## **MOTION TO CONTINUE**

COMES NOW the undersigned counsel, Everett M. Urech, and requests that the case which was recently set for trial on January 8, 2007, be continued to the next term of court. Even though the case has been on the court's docket for some time, present counsel was only recently assigned when the Defendant's plea of guilty was withdrawn and he elected to go to trial in the case. Counsel will need the additional time to prepare for a jury trial in this case.

Dated this 30<sup>th</sup> day of November 2006.

Respectfully submitted,

**s/Everett M. Urech**  
**EVERETT M. URECH**  
**AL BAR NO.: ASB-6693-E44E**  
Attorney for Defendant  
Urech & Livaudais, P.C.  
P.O. Drawer 70  
510 N. Daleville Ave  
Daleville, AL 36322  
TEL: (334) 598-4455  
FAX: (334) 598-2076  
E-Mail: daleatty@snowhill.com

Octavious Charlie Bryant  
Docket No. 3:06cr116-WKW

Presentence  
Investigation Report

33. 02/19/01 1: Carrying Pistol  
(Age 22) Without Permit,  
2: Resisting Arrest-  
Circuit Court, Lee  
County, AL, Case Nos.  
01-872, 873

07/30/01: §4A1.1(c)  
1 and 2: FG. §4A1.2(c)(1)(A)  
90 days, 60 days suspended, 2 years on  
probation, condemn  
pistol plus pay fine and  
costs.  
08/02/01: Appealed.  
08/13/02: FTA. Revoke  
bond and issued writ.  
08/23/02: FTA.  
Dismissed and  
remanded.  
03/07/04: Arrested.  
03/08/04: Released  
with condition to pay  
\$80 monthly and appear  
for review.  
04/19/05: FTA, writ  
issued.

1

The defendant was represented by Margaret Brown. Court records reflect that on February 19, 2001, an Opelika Police officer found a silver and black Ruger pistol on Bryant's person. Bryant resisted arrest but was eventually subdued. These cases were originally appealed from the Opelika Municipal Court, MCN-01-119 and 120.

34. 07/29/01 1: Attempting to Evade  
(Age 22) Police Officer,  
2: Driving While  
License Suspended  
-Circuit Court, Lee  
County, AL, Case No.  
CC-01-867 and 868

07/30/01: PG. §4A1.1(c)  
1: 120 days, 90 days §4A1.2(c)(1)(A)  
suspended, served 30  
days, 2 years on  
probation plus pay fine  
and costs.  
2: 90 days, suspended,  
2 years on probation.  
08/02/01: Appealed.

The defendant was represented by Margaret Brown. Court records reflect that on July 27, 2001, Bryant was arrested by an Opelika Police officer for driving with a suspended license, attempting to elude a police officer, running a red light, driving on the wrong side of the road and operating a vehicle without insurance. These cases were originally appealed from the Opelika Municipal Court, TRN-01-591, 592, 593, 594, and 595.

**CERTIFICATE OF SERVICE**

I hereby certify that on November 30, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Tammie Brown Hardwick, Assistant United States Attorney, One Court Square, Suite 201, Montgomery, Alabama 36104.

s/Everett M. Urech  
**EVERETT M. URECH**

Octavious Charlie Bryant  
 Docket No. 3:06cr116-WKW

Presentence  
 Investigation Report

35. 08/08/01 1: Reckless Driving, 08/08/01: Released. §4A1.1(c)  
 (Age 22) 2: DWLS, 12/17/01: Convicted. 1: §4A1.2(c)(1)(A)  
 3: Disorderly Conduct-  
 Circuit Court, Lee  
 County, AL, Case Nos.  
 CC-02-011, 112, and  
 114  
 5 days, suspended,  
 serve 2 years on  
 probation plus pay fine  
 and costs.  
 2: 10 days, suspended,  
 serve 2 years on  
 probation plus pay fine  
 and costs.  
 3: 60 days, 55 days  
 suspended, served 5  
 days, 2 years on  
 probation plus pay fine  
 and costs.  
12/19/01:Appealed.  
08/13/02: FTA, revoke  
 bond and writ issued.  
08/23/02: FTA.  
 Dismissed and  
 remanded.  
04/22/03: FTA.  
03/07/04: Arrested.  
03/08/04: Released on  
 condition to pay \$80  
 monthly and appear for  
 review.  
04/19/05: FTA, writ  
 issued.

1

The defendant was represented by Margaret Brown. Court records reflect that on August 8, 2001, at approximately 6:20 p.m., Opelika Police officers initiated a traffic stop at the intersection of Pleasant Drive and Shannon Court and charged Bryant with driving without a license, reckless driving, running a stop sign, operating a vehicle without insurance, and disorderly conduct. When the officer questioned Bryant, he became loud and yelled "you can't search me, I am not under arrest", "you can't put me in the patrol car, I ain't under arrest". Bryant continued this behavior after he had been told repeatedly to be quiet. These cases were originally appealed from the Opelika Municipal Court, TRN-01-636, 637, 638, 589, and 01032.